



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/595,993	Andreas Noack	9771-005us

22897  
 DEMONT & BREYER, LLC  
 100 COMMONS WAY, Ste. 250  
 HOLMDEL, NJ 07733

INTERNATIONAL APPLICATION NO.	
PCT/EP04/13391	
I.A. FILING DATE	PRIORITY DATE
11/25/2004	11/25/2003

**CONFIRMATION NO. 1497**  
**371 FORMALITIES LETTER**



\*OC000000025631720\*

Date Mailed: 08/31/2007

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 05/24/2006
- English Translation of the IA filed on 06/07/2006
- Copy of the International Search Report filed on 05/24/2006
- Preliminary Amendments filed on 05/24/2006
- Information Disclosure Statements filed on 05/24/2006
- Oath or Declaration filed on 06/07/2006
- Request for Immediate Examination filed on 05/24/2006
- U.S. Basic National Fees filed on 05/24/2006
- Priority Documents filed on 05/24/2006

Applicant's response filed 06/07/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 05/08/2007 have not been completed.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - does not identify the citizenship of each inventor.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Additionally the following defects have been observed:

- The oath of declaration does not comply with 37 CFR 1.63 in that it:
  - does not identify the mailing address of each inventor. If the residence is different from the mailing address, then the city and state or city and foreign country of residence of each inventor must also be given.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

ANITA D JOHNSON

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#### PART 2 - OFFICE COPY

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10/595,993	PCT/EP04/13391	9771-005us